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8 Attorneys for Defendants  
MASIMO CORPORATION and  
9 MASIMO AMERICAS, INC.

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11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 PHYSICIANS HEALTHSOURCE,  
15 INC.,

16 Plaintiff,

17 v.

18 MASIMO CORPORATION, et al.

19 Defendants.

Case No. 8:14-cv-00001 JVS (ANx)

**DEFENDANTS MASIMO  
CORPORATION AND  
MASIMO AMERICAS, INC.'S  
NOTICE OF MOTION AND  
MOTION TO STAY**

**HEARING:**

Date: May 12, 2014

Time: 1:30 p.m.

Ctrm: 10C

**Hon. Judge James V. Selna**

1 PLEASE TAKE NOTICE that, Defendants Masimo Corporation and  
2 Masimo Americas, Inc. (collectively, "Masimo") hereby move to stay this  
3 action pending final merits disposition, including any appeal, of Masimo's  
4 administrative petition to the Federal Communications Commission, which was  
5 filed on April 1, 2014. Subject to the Court's availability, the motion will be  
6 heard on May 12, 2014 at 1:30 p.m. in Courtroom 10C, before the Honorable  
7 James V. Selna.

8 Masimo bases the motion on this notice; the concurrently filed  
9 memorandum of points and authorities, and the Declaration of Callie Sand and  
10 exhibit thereto; any subsequently filed reply briefs, declarations, and exhibits;  
11 the pleadings and papers filed in this action; and any other arguments, evidence,  
12 and matters submitted to the Court, at the hearing or otherwise.

13 This motion is made following a conference of counsel pursuant to Local  
14 Rule 7-3, which took place on Monday, April 7, 2014.

15 Respectfully submitted,  
16 KNOBBE, MARTENS, OLSON & BEAR, LLP  
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18 Dated: April 14, 2014

By: /s/ Benjamin A. Katzenellenbogen  
Stephen C. Jensen  
Jon W. Gurka  
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21 Attorneys for Defendants  
22 MASIMO CORPORATION and  
23 MASIMO AMERICAS, INC.  
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